

REMARKS

Applicants have reviewed the present application in light of the Office Action dated December 24, 2008. Claims 1-4 and 6-20 are presented for examination, with Claim 1 being the sole independent claim. Claims 1, 2, 4, 6, 7, 10, 11, 13, 15, and 16 have been amended to more clearly define the invention. Applicants request favorable reconsideration.

Claims 1, 3, 4, 6-9, 11, 12, and 17-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by newly-cited U.S. Patent No. 6,125,354 to MacFarlane et al. (hereafter “MacFarlane”). Claims 2, 10, and 13-16 are rejected under § 103(a) as being unpatentable over MacFarlane in view of newly-cited U.S. Patent No. 7,020,628 to Peterson et al. (hereafter “Peterson”). Applicants submit that independent Claim 1 and the claims dependent on it are patentably distinct from the cited art for at least the following reasons.

Independent Claim 1, as amended, recites a method for facilitating the allocation of a billing. The billing is from a technology resource provider to an entity. In one step, unique identifiers are associated with the technology resources of the provider. Such association is performed by the entity. In another step, these unique identifiers are provided to the technology resource provider. In another step, a business model corresponding to an internal structure of the entity is received. The business model includes at least one application profile. Each application profile associates one or more unique identifiers with one or more users within the entity. In another step, the entity receives the billing, which includes data corresponding to the usage of the technology resources by the entity and data corresponding to the unique identifiers. In another step, the entity allocates portions of the billing. The portions correspond to usage of the technology resources by individual users, and are allocated based on the business model file.

The method of Claim 1 allows usage of technology resources by users within the entity to be allocated to those users. In particular, unique identifiers are associated by the entity with technology resources of the provider, and are further associated with the entity's users. Thus, a billing from the provider, which includes data corresponding to the identifiers, can be allocated based upon these associations.

Nothing in MacFarlane teaches or suggests the unique identifiers recited in Claim 1. MacFarlane is directed to a billing system that adjusts charges billed by a service provider and allocates adjusted charges to individual elements of a billed organization. In the MacFarlane system, any such adjustment or allocation, which MacFarlane refers to collectively as "rebilling," is performed by the organization after a bill is received from the service provider. The Office Action finds that MacFarlane's user code, as shown in Fig. 5 and discussed at col. 6, lines 59-64, anticipates a unique identifier. However, the user code, while perhaps assigned by the organization, is never passed to the service provider. Thus, MacFarlane fails to teach providing unique identifiers to a provider. Moreover, because the service provider in MacFarlane never receives assigned user codes, a bill from the service provider cannot include any information relating to user codes. Thus, MacFarlane also fails to teach receiving from a provider a billing that includes data corresponding to user codes.

Peterson fails to compensate for the deficiencies in MacFarlane. Peterson is directed to a system that consolidates billing of users of various computer networks. While Peterson does teach receipt by a service provider of a list of authorized users, as shown in Fig. 2, this list is provided by the various host computer networks, not by an entity comprising the users, as discussed at col. 3, lines 35-37. Moreover, nothing in Peterson suggests any association of a

listed user with any technology resource. Therefore, Peterson cannot be said to teach the unique identifiers recited in Claim 1.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art, whether that art is taken alone or in combination, and respectfully request withdrawal of the rejections under 35 U.S.C. §§ 102(b) and 103(a).

The other rejected claims in this application depend either directly or indirectly from independent Claim 1 and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim defines an additional aspect of the invention, Applicants request individual reconsideration of the patentability of each claim on its own merits.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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